

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

14-MD-2543 (JMF)

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

This Document Relates To:

Anderson v. GM Motors & Shareholders, 21-CV-1006

ORDER

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JESSE M. FURMAN, United States District Judge:

On February 4, 2021, Plaintiff Larry Anderson, proceeding without counsel, filed a Complaint, 21-CV-1006, ECF No. 2. The Complaint — which names, GM Motors & Shareholders, Mary Barra, Mark Reuss, Dan Ammann, and GM Motor Company as defendants — appears to assert claims arising from allegations of a defective ignition switch in a 2005 Chevrolet Cobalt. *Id.* The Court accepted the case as related to this MDL on February 9, 2021 and the case was assigned to the undersigned.

Under Rule 21 of the Federal Rules of Civil Procedure, the Court, on its own motion, “may at any time, on just terms, add or drop a party.” Fed. R. Civ. P. 21; *see Anwar v. Fairfield Greenwich, Ltd.*, 118 F. Supp. 3d 591, 618-19 (S.D.N.Y. 2015) (Rule 21 “afford[s] courts discretion to shape litigation in the interests of efficiency and justice.”). Under Rule 21, a court may add a party as a defendant, even where the party is not named as a defendant, because he, she, or it is mentioned “throughout the body of the [c]omplaint” as involved in the underlying alleged events. *George v. Westchester Cty. Dep’t of Corr.*, No. 7:20-CV-1723 (KMK), 2020 WL 1922691, at *2 (S.D.N.Y. Apr. 21, 2020); *see also, e.g., Adams v. NYC Dep’t of Corrs.*, No. 19-CV-5009 (VSB), 2019 WL 2544249, at *2 (S.D.N.Y. June 20, 2019).

Although Plaintiff does not name it as such, the Complaint appears to allege wrongdoing by General Motors LLC (“New GM”). **The Clerk of Court is therefore directed, under Rule 21 of the Federal Rules of Civil Procedure, to amend the caption of 21-CV-1006 to add General Motors**

LLC as a defendant. This amendment is without prejudice to any defenses that New GM may wish to assert.

New GM is hereby ORDERED to confer with Plaintiff (and, if appropriate Lead Counsel) to discuss how to proceed with resolving Plaintiff's claims and, **no later than March 3, 2021**, the parties shall file a joint letter proposing next steps.

The Court requests that New GM waive service of process in 21-CV-1006.

The Clerk of Court is directed to mail a copy of this order to Plaintiff, together with an information package.

SO ORDERED.

Dated: February 9, 2021
New York, New York



JESSE M. FURMAN
United States District Judge